

### **Remarks/Arguments**

Reconsideration of this application in light of the following remarks is requested.

#### Rejections under 35 U.S.C. § 102

##### Claim 21

Claim 21 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,448 to Hemphill, et al. ("Hemphill"). MPEP § 2131 requires that, "[t]o anticipate a claim, the reference must teach every element of the claim..." Applicant submits that this reference fails to teach every element of claim 21 and does not anticipate the subject matter of claim 21 under 35 U.S.C. § 102(e).

Claim 21 recites in part, "publishing the event; retrieving a subscriber list, the list including the subscriber and the subscription filter; selecting the subscriber and the subscription filter from the list; filtering the event through the subscription filter; passing the event to the subscriber if the event passes through the subscription filter..."

Hemphill fails to teach at least those elements recited above. A careful reading of Hemphill reveals that Hemphill is directed to, "an improved and enhanced ability to deliver event-related information of a managed device to a management server of a network," (col. 2, lines 31-34, emphasis added). Thus, events are not published for subscribers as required by claim 21. The Examiner has cited specific text of Hemphill which reads in part, "the management server 102 stores events and traps, and enables configuration of filters that ultimately generate queries that are used to select records from the database 128," (col. 4, lines 49-53). Here again, events are not published but stored. Although the term "filter" is used in Hemphill, the filters of Hemphill are used to "generate queries that are used to select records from the database 128," and not to determine subscribers to publication of events as in claim 21.

The Examiner has also cited Hemphill at col. 4, lines 63-65, which states, "[t]he management server 102 handles events, such as SNMP traps and HTTP alerts, logs

the events and allows a user to set event filters.” However, the first sentence of the same paragraph of Hemphill states, “[t]he management server 102 enables the user to select a managed element 104 and view detailed information about that device.” Thus a reading of the entire paragraph reveals that Hemphill does not contemplate publishing and subscription.

#### Claims 22-29

Dependent claims 22-30 depend from and further limit claim 21 and are allowable for at least the same reasons as claim 21. Furthermore, claims 23, 25, and 27 each require transforming the event itself. As stated previously, Hemphill teaches storing and querying of events. Nowhere does Hemphill teach or suggest transformation of events as recited in claims 23, 25, and 27. Similarly, claim 28 teaches termination of the event, which is neither taught nor suggested by Hemphill.

#### Claim 31-40

Claim 31 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,643,650 to Slaughter, et al. (“Slaughter”). Claim 31 was amended in a previous office action response to recite in part, “instantiating the event as a Data Object Model (DOM) class when services required by the event are unavailable.” The Examiner has cited Fig. 9 of Slaughter in support of this element. However, Applicant fails to see how Fig. 9 supports this teaching of claim 31. Furthermore, Applicant finds no teaching or suggestion in the cited text of Slaughter of instantiating the event as a Data Object Model. In fact, a search of Slaughter reveals that the term, Data Object Model, does not appear anywhere in Slaughter. Since Slaughter fails to teach every element of claim 31, the rejection of claim 31 cannot be sustained. Furthermore, claims 32-40 depend from and further limit claim 31, and should be allowable for at least the same reasons.

Claim 41

Claim 41 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,173,289 to Sonderegger, et al. ("Sonderegger"). Claim 41 recites in part, "modifying the event based on an alteration of at least one of the event parameter and the object parameter by the first subscriber; and passing the modified event to the second subscriber." In support of this element, Examiner has cited Sonderegger at col. 2, lines 35-57, and 58-65. Applicant finds no teaching or suggestion in the cited text of, "modifying the event based on an alteration of at least one of the event parameter and the object parameter by the first subscriber; and passing the modified event to the second subscriber." Since each element of claim 41 is not taught or suggested by Sonderegger as required by MPEP § 2131, Applicant submits that claim 41 is allowable.

Conclusion

All issues regarding patentability having been addressed, Applicant requests notice of allowance of claims 21-41. Should the Examiner deem that any further action or amendment is needed to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

*T. F. Bliss*

Timothy F. Bliss  
Registration No. 50,925

Dated: August 25, 2004  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972/739-8638  
File: 26530.56 / IDR-452

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22113-1450 on August 25, 2004.

*Gayle Conner*  
Gayle Conner